

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

CECILE SULLIVAN,

Plaintiff,

v.

SOUTHWEST CREDIT SYSTEMS L.P.

Defendant.

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CA NO. 4:14-CV-00154-RC-ALM

DEFENDANT SOUTHWEST CREDIT SYSTEMS, L.P.'S ORIGINAL ANSWER

COMES NOW, Southwest Credit Systems, L.P. (hereinafter "Defendant" or "Southwest"), through counsel of record, and files its Original Answer to Plaintiff's Complaint. The paragraph numbers below correspond with the paragraph numbers contained in Plaintiff's Complaint:

**I.
NATURE OF ACTION**

1. Defendant admits Plaintiff has made allegations against it under various statutes. Defendant denies that it violated any of those statutes.
2. Defendant admits Paragraph 2.
3. Defendant lacks sufficient information to form a belief necessary to admit or deny Paragraph 3.
4. Defendant lacks sufficient information to form a belief necessary to admit or deny Paragraph 4.
5. Defendant admits Paragraph 5.
6. Defendant lacks sufficient information to form a belief necessary to admit or deny Paragraph 6.
7. Defendant lacks sufficient information to form a belief necessary to admit or deny Paragraph 7.

8. Defendant admits Paragraph 8.
9. Defendant admits that it attempted to collect the debt but is without sufficient information to determine whether it engaged in “communications” as defined in 15 U.S.C. § 1692a(2).
10. Defendant admits to attempting to collect a debt but Defendant denies the remainder of Paragraph 10 and that it uses an automated telephone dialing system.
11. Defendant lacks sufficient information to form a belief necessary to admit or deny Paragraph 11.
12. Defendant lacks sufficient information to form a belief necessary to admit or deny Paragraph 12.
13. Defendant denies Paragraph 13.
14. Defendant denies Paragraph 14.
15. Defendant denies Paragraph 15.
16. Defendant incorporates all preceding Paragraphs.
17. Defendant denies Paragraph 17.
18. Defendant denies Paragraph 18.
19. Defendant denies Paragraph 19.
20. Defendant denies Paragraph 20.
21. Defendant denies Paragraph 21.
22. Defendant incorporates all preceding Paragraphs.
23. Defendant lacks sufficient information to form a belief necessary to admit or deny Paragraph 23.
24. Defendant admits Paragraph 24.
25. Defendant denies Paragraph 25.
26. Defendant denies Paragraph 26.
27. Defendant denies Plaintiff is entitled to the relief pled.

II.
AFFIRMATIVE DEFENSES

- 28. Plaintiff has failed to state a cause of action upon which relief can be granted.
- 29. Plaintiff has failed to mitigate damages, if any.
- 30. Plaintiff's damages, if any, are the result of a preexisting injury.
- 31. Any violation, if it occurred, is a result of a bona fide error.
- 32. Plaintiff's damages complained of are the result of a third party.
- 33. Plaintiff consented to the actions of the Defendant.

WHEREFORE, PREMISES CONSIDERED, Defendant, respectfully prays that Plaintiff take nothing herein, that said Defendant be dismissed with its costs, and all other and further relief, at law or in equity, to which Defendant may be justly entitled.

Respectfully submitted,

ROBBIE MALONE, PLLC

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COUNSEL FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document has been forwarded via ECF on this 16th day of April, 2014 to:

Jenny DeFrancisco
Lemberg Law, LLC
1100 Summer Street
Stamford, CT 06905

/s/ Robbie Malone
ROBBIE MALONE